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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/701,278	08/22/1996	DAVID J. ANDERSON	A-63770-1/RF	5313
7590 04/12/2005			EXAMINER	
FLEHR HOHBACH TEST ALBRITTON & HERBERT			HAYES, ROBERT CLINTON	
FOUR EMBARCADERO CENTER SUITE 3400 SAN FRANCISCO, CA 94111			ART UNIT	PAPER NUMBER
			1647	
			DATE MAILED: 04/12/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Communication Boy Annual	08/701,278	ANDERSON ET AL.				
Communication Re: Appeal	Examiner	Art Unit				
	Robert C. Hayes, Ph.D.	1647				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -						
1. The Notice of Appeal filed on is not acceptable because:						
(a) it was not timely filed.						
(b) the statutory fee for filing the appeal was not submitted. See 37 CFR 41.20(b)(1).						
(c) the appeal fee received on was not timely filed.						
(d) the submitted fee of \$ is insufficient. The appeal fee required by 37 CFR 41.20(b)(1) is \$						
(e) the appeal is not in compliance with 37 CFR 41.31(a)(1) in that no claim has been twice rejected.						
(f) a Notice of Allowability, PTO-37, was mailed by the Office on						
2. The appeal brief filed on is NOT acceptable for the reason(s) indicated below:						
(a) the brief and/or brief fee is untimely. See 37 CFR 41.37(a).						
(b) ☐ the statutory fee for filing the brief has not been submitted. See 37 CFR 41.20(b)(2).						
(c) the submitted brief fee of \$ is insufficient. The brief fee required by 37 CFR 41.20(b)(2) is \$						
The appeal in this application will be dismissed unless corrective action is taken to timely submit the brief and requisite fee. See 37 CFR 41.37(a)(1). Extensions of time may be obtained under 37 CFR 1.136(a). See 37 CFR 41.37(e).						
3. ☑ The appeal in this application is DISMISSED because:						
(a) Ithe statutory fee for filing the brief as required under 37 CFR 41.20(b)(2) was not timely submitted and the period for obtaining an extension of time to file the brief under 37 CFR 1.136(a) has expired.						
(b) the brief was not timely filed and the period for obtaining an extension of time to file the brief under 37 CFR 1.136(a) has expired.						
(d)						
4. Because of the dismissal of the appeal, this application:						
(a) ⊠ is abandoned because there are no allowed claims.						
(b) is before the examiner for final disposition because it contains allowed claims. Prosecution on the merits remains CLOSED.						
(c) is before the examiner for consideration. ROSERT C. HAYES, PH.D. PATENT EXAMINER						